

ORIGINAL

CC: DRL  
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Attorney for Defendant  
 ANDY S.S. YIP

FILED IN THE  
 UNITED STATES DISTRICT COURT  
 DISTRICT OF HAWAII

AUG 14 2007  
 at 2 o'clock and 10 min. P.M.  
 SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. CR02-00225(01) DAE
	)	
Plaintiff,	)	NOTICE OF INTENTION TO USE
	)	STATEMENTS OF UNAVAILABLE
vs.	)	WITNESSES
	)	
ANDY S.S. YIP,	(01) )	TRIAL: 08/15/07
BRENDA M.O. CHUNG	(02) )	JUDGE: THE HONORABLE
	)	DAVID A. EZRA
Defendants.	)	
	)	

NOTICE OF INTENTION TO USE  
STATEMENTS OF UNAVAILABLE WITNESSES

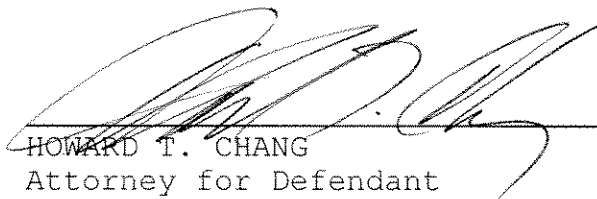
Pursuant to Rule 807 of the Federal Rules of Evidence, Defendant Andy S.S. Yip hereby notifies the United States that he intends to offer evidence of James Cheung's January 14, 2000 interview conducted by the IRS and the grand jury testimony of Akiko Coleman taken May 30, 2002. Both witnesses are unavailable for trial. Mr. Cheung died December 2001. Ms. Coleman sustained a major stroke in 2005 and has been unable to speak since that event. Information concerning Ms. Coleman's physical and mental condition was provided by her treating physician, Dr. Catherine

(CERTIFICATE OF SERVICE ATTACHED)

Shanahan. A copy of Dr. Shanahan's October 23, 2006 letter is attached.

Defendant Yip also intends to offer two statements made by Ms. Coleman to Ms. April MacDonald in 1995-1996. The statements were made in conjunction with Ms. Coleman providing Ms. MacDonald a package for delivery to Mr. Yip, to the effect "this is money for Andy".

DATED: Honolulu, Hawaii, August 14, 2007.



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HOWARD T. CHANG  
Attorney for Defendant  
ANDY S.S. YIP

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was duly served on the person(s) named below, in the manner described thereto, at their last known address on August 14, 2007:

U.S. Mail      Hand Deliver

LESLIE E. OSBORNE, ESQ.  
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X

Attorney for Plaintiff  
UNITED STATES OF AMERICA

HOWARD K.K. LUKE, ESQ.  
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Attorney for Defendant  
BRENDA M.O. CHUNG

DATED: Honolulu, Hawaii, August 14, 2007.



HOWARD T. CHANG  
Attorney for Defendant  
ANDY S.S. YIP